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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Richard Schneider

Plaintiff,

v.

State Farm Mutual Automobile Insurance Company,

Defendant.

Case No.: 2:14-cv-01932-JAD-CWH

**Order Directing Rebriefing to
Incorporate Supplemental Materials
[ECF 14, 17, 23]**

Three motions are pending in this dispute over whether plaintiff Richard Schneider can stack his State Farm car-insurance coverage: cross-motions for summary judgment and Schneider's motion for leave to file a supplemental brief. Having reviewed the parties' filings, I find that the most efficient way to address the pending motions is to deny the cross-motions for summary judgment without prejudice and allow the parties to rebrief the summary-judgment issues to incorporate the new information that would have been discussed in their supplemental briefs.

Discussion

In March of 2015, Schneider filed a motion for partial summary judgment, and State Farm responded with its own countermotion for summary judgment.¹ A month after the summary-judgment briefing closed, Schneider produced a document that allegedly explains underinsured-motorist stacking as it relates to his State Farm insurance policies.² The parties seek to file additional briefs in support of their motions, responses, and replies to include additional argument about this new evidence.³ Rather than allow the parties to file supplemental briefs resulting in piecemeal discussions, I find it would be more efficient to deny both pending summary-judgment motions and allow the parties to file new motions, responses, and replies to incorporate the new evidence.

¹ ECF 14, 16, 17.

² See ECF 27 at 2; ECF 24 (the parties disagree over the characterization and relevancy of this document).

³ ECF 23, 26.

Conclusion

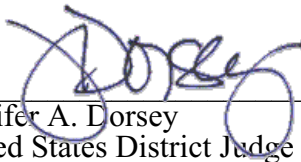
Accordingly, it is HEREBY ORDERED that Schneider's motion for partial summary judgment [ECF 14] is **DENIED** without prejudice.

It is FURTHER ORDERED that State Farm's counter-motion for summary judgment [ECF 17] is **DENIED** without prejudice.

It is FURTHER ORDERED that Schneider's motion for leave to file a supplement [ECF 23] is **GRANTED** in part. The information that would have been included in the supplemental briefs should be included in renewed motions, responses, and replies filed in compliance with the following schedule:

- Schneider has until September 21, 2015, to file his renewed motion for partial summary judgment;
- State Farm has until October 15, 2015, to file its response to that motion and its own renewed counter-motion for summary judgment;
- Schneider has until November 9, 2015, to file a reply in support of his renewed motion for partial summary judgment and his response to defendant's renewed counter-motion;
- State Farm has until November 28, 2015, to file its reply in support of its renewed counter-motion.

DATED this 10th day of September, 2015



Jennifer A. Dorsey
United States District Judge